



**RAB Comments and HPHA Response
Proposed 2018 – 2019 PHA Annual Plan Revisions
(FY 2018 - 2019)**

1. **Proposed Revision:** Housing Choice Voucher Administration – Update policy on additions to the household after admissions into the Housing Choice Voucher program to allow additions of more than one family member only through birth, adoptions, court awarded custody, or hanai, when the addition would increase the subsidy to the family.

RAB comment: The RAB supports the proposed revisions, and comments that they appreciate that “hanai” is included.

HPHA Response: The HPHA appreciates the support of the RAB.

2. **Proposed Revision:** Housing Choice Voucher Administration – Adopt revisions to the Section 8 policy and Hawaii Administrative Rules to shorten the length of time for a temporary absence from 120 days to 60 days, allowing for specific exceptions for valid medical issues or as allowed under the CFR.

RAB comment: The RAB supports the proposed revision.

HPHA Response: The HPHA appreciates the support of the RAB.

3. **Proposed Revision:** Housing Choice Voucher Administration – Adopt a policy that allows the HPHA to notify the family of a change to a participant’s voucher size based on current household composition up to 120 days before the end of the lease term rather than waiting for the next recertification. (24 CFR 982.516(e)(1))

RAB comment: The RAB supports the proposed revision as the change will provide ample time to look for a new housing and to give the landlord notice.

HPHA Response: The HPHA appreciates the support of the RAB.

4. **Proposed Revision:** Housing Choice Voucher Administration – Amend policy to state that when a family is requesting to downsize, the voucher size will be changed at the end of the lease term.

RAB comment: The RAB supports the proposed revision.

HPHA Response: The HPHA appreciates the support of the RAB.



5. **Proposed Revision:** Housing Choice Voucher Administration – Amend family break-up policy when determining which family retains their assistance or placement on the waitlist to include the interest of the minor child as a primary consideration.

RAB comment: The RAB supports the proposed revision.

HPHA Response: The HPHA appreciates the support of the RAB.

6. **Proposed Revision:** Housing Choice Voucher Administration – Amend Housing Choice Voucher policy to require applicants with a criminal history to include their latest conviction date or arrest date.

RAB comment: The RAB supports the proposed revision, noting that if it is legal to do, then it should be done.

HPHA Response: The HPHA appreciates the support of the RAB. Per 24 CFR 982.553, the HPHA must establish standards for the prohibition of certain criminal activity. The request for applicants to provide latest conviction or arrest date is applicable under this rule.

7. **Proposed Revision:** Federal Public Housing Administration – Update preference policy to remove from definition of “involuntarily displaced”, applicants who are displaced by action of the housing owner for reasons beyond the applicant’s control and despite the applicant meeting all previously imposed conditions of occupancy.

RAB comment: The RAB disagrees with the proposed revision. The RAB feels that eliminating those displaced by action of the housing owner from the preference will put many at a disadvantage and at risk of homelessness, due to the current housing market.

HPHA Response: The proposed rule change would align the HPHA with HUD’s definition of “involuntarily displaced”.

8. **Proposed Revision:** Federal Public Housing Administration – Update preference policy to redefine Homeless individuals as those in a transitional shelter who are verified to be in compliance with a social service plan, or other homeless individuals and families who are verified to be “housing ready” as defined in the Hawaii Administrative Rules.



RAB comment: The RAB supports the proposed revision as it addresses an important issue when combating homelessness and applicants who timed out of the preference due to the length of the waitlist.

HPHA Response: The HPHA appreciates the support of the RAB.

9. **Proposed Revision:** Federal Public Housing Administration – Establish definition for “Housing Ready”.

RAB comment: The RAB supports the proposed revision as it allows a better understanding of who would be applicable for the homeless preference.

HPHA Response: The HPHA appreciates the support of the RAB.

10. **Proposed Revision:** Federal Public Housing Administration – Expand local preferences to include veterans and their surviving spouses for the federal public housing program.

RAB comment: The RAB appreciates the intent of the revision, but feels that without the proper support and services, which HPHA does not provide, veterans would be less successful in public housing.

HPHA Response: With Hawaii’s high veteran population, the HPHA believes that adding this additional preference will enable it to house a wide range of individuals in need.

11. **Proposed Revision:** Federal Public Housing Administration – Amend applicant waitlist policy from geographic waiting lists to site-based waiting lists for the federal public housing program.

RAB comment: The RAB supports the proposed revision for site-based waitlists as HPHA previously had site-based waiting lists and be returning to its previous system.

HPHA Response: The HPHA appreciates the support of the RAB on this policy change.

12. **Proposed Revision:** Federal Public Housing Administration – Update Federal Housing acceptance policy relating to “good cause” refusals, to eliminate existing rental agreements that cannot be breached without causing undue financial hardship, and “the applicant’s acceptance of the offer would result in undue hardship not related to consideration of race, color, national origin, or language



and the applicant presents evidence which substantiates this to the authority's satisfaction".

RAB comment: The RAB does not support the proposed amendment. As the goal of public housing is to better yourself enough to enable a tenant to transition out of the program, the possibility of having to break a lease in order to move into public housing could penalize an individual's reputation and keep them from attaining housing in the future.

HPHA Response: These changes would follow HUD regulations, which does not consider these reasons "good cause" to refuse a unit.

13. **Proposed Revision:** Federal Public Housing Administration – Amend continued occupancy reexamination result policy to not renew a lease if a family, who has not complied with the community service requirement one year, does not become compliant by the end of the second year.

RAB comment: The RAB supports the proposed revision as community service is a requirement and needs to be enforced, although they do not know any family who has ever been evicted due to not completing their community service.

HPHA Response: The proposed policy is in compliance with HUD's regulations on community service.

14. **Proposed Revision:** Federal Public Housing Administration – Update tenant transfer policy to create a tenant incentive transfer policy for highly desirable projects to those with perfect tenant histories over a three-year period.

RAB comment: The RAB does not support the proposed revision, as it could result in negative labeling of public housing residents who are not housed in the desirable properties. The RAB requested additional clarification on how a high performer would be defined and how the "highly desirable" properties would be determined.

HPHA Response: The HPHA revised the proposed policy amendment to read: "Assess the feasibility of a tenant transfer policy..." as this topic needs further discussion and assessment.

15. **Proposed Revision:** Federal Public Housing Administration – Amend occupancy guidelines to assign one bedroom for every two family members only, with consideration for infant children, disability-related reasons and the presence of a live-in aide.



RAB comment: The RAB does not support the proposed revision. The RAB does not agree that the policy should not consider the gender of family members and age of the children when assigning the number of bedrooms.

HPHA Response: As the HPHA anticipates federal support to decrease in the coming years, this policy change will allow the Agency to better assist more individuals. Additionally, this policy change will better allow the HPHA to assist current families within the program who want to bring in additional family members (who are often homeless) but who are not able to due to the current policies that restrict increases that will enlarge the bedroom count.

16. **Proposed Revision:** Federal Public Housing Administration - Update “schedule of charges” policy by having the maintenance work-order system record the actual cost of materials and time spent by maintenance workers to charge tenants the actual cost of intentional, careless or negligent damages beyond normal wear and tear. (24 CFR part 966.4)

RAB comments: The RAB feels that “normal wear and tear” should be defined and the age of the unit should be assessed so tenants are not unfairly charged for damages.

HPHA Response: The HPHA will continue to consult with the RAB on future policy changes. However, the HPHA notes that all units are renovated and/or repaired prior to any new admission into a unit. As such, the normal wear and tear on a unit’s interior is normally attributed to a tenant’s use. Damages caused by major systems or infrastructure are not normally caused by a tenant’s normal use of the unit.

17. **Proposed Revision:** Federal Public Housing Administration – Amend Administrative Rules to include updated VAWA policy.

RAB Comment: The RAB has previously reviewed the updated VAWA policies, as adopted last year, and supports its inclusion in the administrative rules.

HPHA Response: The HPHA appreciates the support of the RAB.

18. **Proposed Revision:** Housing Choice Voucher Administration – Increase Housing Choice Voucher program minimum rent from \$25 to \$50.

RAB Comment: The RAB supports the proposed revision as it will align the Section 8 program with the public housing program.

HPHA Response: The HPHA appreciates the support of the RAB.



19. **Proposed Revision:** Housing Choice Voucher Administration - Amend Housing Choice Voucher policy relating to interim increases and decreases. When an increase will occur, special reviews will be conducted for all increases; a decrease must be reported to the HPHA by the 20th of the month in order for the change to take effect the following month.

RAB Comment: The RAB supports the reporting date of the 20th but does not agree with the proposal of a special review. As the goal is for tenants to better themselves, the RAB feels that a special review will not incentivize tenants to strive for a higher income.

HPHA Response: The HPHA appreciates the input of the RAB. This policy change will allow the Housing Choice Voucher program to house more families, as increases in tenant wages provide additional funding to issue more vouchers. The HPHA will look into raising the monthly pay increase needed to increase the rent owed as a means to continue incentivizing voucher holders to succeed professionally.

20. **Proposed Revision:** Federal Public Housing Administration – Update policy on individual relief in Administrative Rules.

RAB Comment: The RAB supports the proposed revision, adding that they hope all forms of medical equipment are considered for inclusion of individual relief.

HPHA Response: The HPHA appreciates the support of the RAB in this matter.

The Resident Advisory Board also proposed the following policy changes:

1. **RAB Proposed Revision:** Federal Public Housing Administration - Amend policy where a tenant can show documentation that an exigent circumstance arose, necessitating a guest to stay multiple nights, when an overnight guest stays beyond 1 night without a pass. The RAB strongly supports the inclusion of this revision as it will allow for situations where a tenant is unable to comply with the rules, without penalization.

HPHA Response: The HPHA appreciates the RAB's suggestion but believes that at this time, it does not need to be included in the PHA Plan and can be resolved through other means.

2. **RAB Proposed Revision:** Federal Public Housing Administration - Increase the maximum amount of time a guest may stay with a tenant beyond 30 days, for



medical or emergency situations. The RAB supports the intent of the proposed revision, but feels that it needs more time to discuss this topic.

HPHA Response: The HPHA appreciates the RABs proposed revision and welcomes further discussion regarding this topic during the next RAB cycle. The HPHA, however, must keep in mind that individuals who are not authorized members of the household

3. **RAB Proposed Revision:** Federal Public Housing Administration - Expand preference to not disqualify those who have complied with the homeless requirements but timed out of shelter assistance before their name came up on the waitlist. The RAB strongly supports the proposed revision, as the length of time it often takes for an individual to be called up on the waitlist prevents a homeless preference applicant from qualifying.

HPHA Response: The HPHA agrees with the proposed revision and has proposed a modification to its homeless preference by adding those who are "housing ready," which will allow those applicants an opportunity to still qualify for housing.

4. **RAB Proposed Revision:** Federal Public Housing Administration - Amend the procedure in which the Executive Director is hired as a service position hired through HR with approval and oversight by the Board rather than being appointed. The RAB supports this proposed revision as it will allow the Executive Director to be hired on their merits and qualifications, rather than be effected by governmental influence with the possibility of continuous changeover.

HPHA Response: The HPHA is not able to include this at this time as the law regarding the appointment of Executive Directors is effected by statute.